

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

WP(C).No. 23619 of 2007(J)

PETITIONER:

THANKACHAN KURUVILLA,
THADATHIL PUTHENPURA, KOTHANALLOOR, KOTTAYAM.

BY ADV. SRI.P.DEEPAK

RESPONDENTS:

1. THE REGIONAL TRANSPORT OFFICER,
ALAPPUZHA.
2. THE DEPUTY TRANSPORT COMMISSIONER,
SOUTH ZONE, THIRUVANANTHAPURAM.
3. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, VAIKOM.
4. THE TRANSPORT COMMISSIONER,
THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02/08/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 23619 OF 2007 - J

Dated this the 2nd day of August, 2007

J U D G M E N T

The petitioner has been proceeded against for recovery of the motor vehicle tax under the Kerala Motor Vehicles Taxation Act. Having been unsuccessful in an appeal filed before the appellate authority, the petitioner filed a revision petition before the fourth respondent which has been taken on file as evidenced by Ext.P4. The petitioner would submit that in the mean while, coercive proceedings have been initiated by issuing Ext.P2 revenue recovery notice. The petitioner would submit that he has filed a stay petition along with the revision petition, but instead of passing orders on the stay petition, what has been communicated to him is Ext.P4, which merely says that the revision petition is taken on file. The petitioner seeks a direction to the fourth respondent to pass orders on the revision petition and to stay further proceedings pursuant Ext.P2 till such disposal.

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2. The learned Government Pleader points out that the petitioner has not chosen to produce copy of the revision petition without which the Government Pleader is unable to ascertain what are the contentions of the petitioner. Whatever that be, Ext.P4 shows that the petitioner has filed a revision. If the petitioner has filed a stay petition along with the revision, the fourth respondent has a duty to dispose of the same expeditiously.

3. In the above circumstances, I dispose of this writ petition with the following directions:-

If the petitioner has filed a stay petition along with the revision petition taken on file as seen from Ext.P4, the same shall be considered and orders passed, expeditiously. Till disposal of the stay petition, further proceedings pursuant to Ext.P2 shall be kept in abeyance.

Mbs/

Sd/-
S. SIRI JAGAN,
Judge

WP(C) NO. 23619 of 2007

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S.SIRI JAGAN, J

WP(C) NO. 23619 of 2007

:-4:-

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007

WP(C) NO. 23619 of 2007

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